

September 27, 2002

Exemption No. 5750C
Regulatory Docket No. FAA-2002-13246

Mr. Neil R. Planzer
Executive Director, DOD Policy Board on Federal Aviation
Office of the Secretary of Defense
1480 Defense Pentagon
Washington, DC 20301-1480

Dear Mr. Planzer:

This is in response to your August 8, 2002, letter petitioning the Federal Aviation Administration (FAA) on behalf of the Department of Defense (DOD) for an extension of Exemption No. 5750, as amended. That exemption from part 139 of Title 14, Code of Federal Regulations (14 CFR) permits the issuance of FAA Airport Operating Certificates for those DOD Airports equipped and operated in accordance with applicable DOD standards and procedures that serve, or expect to serve air carrier aircraft having a seating capacity of more than 30 passenger seats, without those airports complying with the certification and operating requirements of part 139.

In your petition, you indicate that the conditions and reasons regarding public interest and safety, presented in the original petition upon which the exemption was granted, remain unchanged.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to DOD.

The FAA has determined that the justification for the issuance of Exemption No. 5750, as amended, remains valid with respect to this exemption.

AAS-02-603-E

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Exemption No. 5750, as amended, is hereby further amended by extending its September 30, 2002, termination date to September 30, 2007, unless sooner superseded or rescinded.

All other conditions and limitations of Exemption No. 5750, as amended, remain the same. This letter shall be attached to, and is a part of, Exemption No. 5750.

Finally, please note that the FAA has assigned a new docket number to this project (Docket No. FAA-2002-13246 previously Docket No. 12656). In an effort to allow the public to participate in tracking the FAA's rulemaking activities, we have transitioned to the Department of Transportation's Internet-accessible Docket Management System, located at <http://dms.dot.gov>. This new system enables interested parties to view and download docketed materials through the Internet. Please submit any future exemption requests to the Docket Management System in accordance with 14 CFR § 11.63.

Sincerely,

/S/ David L. Bennett
Director, Office of Airport Safety and Standards

AAS-02-603-E (Docket No. FAA-2002-13246)

Exemption No. 5750C, 09/27/2002

MR. NEIL R. PLANZER
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